IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVISION APPLICATION NO. 467 OF 2006

1. Navin Charla and anr. ..Petitioners

Vs.

1. Pilar Vittal Shetty and anr. ..Respondents

Mr. Nimish Desai h/f Mr. Rishi Bhuta for petitioners.
Mr. S.V. Vora for respondent no.1.
Mr. Y.S. Shinde, APP for respondent no.2-State.

CORAM: B.H. MARLAPALLE, J.

Reserved on : January 31, 2007.

Pronounced on: Februrary 15, 2007.

P.C.:

1. This Criminal Revision Application arises from the order of conviction and sentence dated 26/7/2005 passed by the learned Metropolitan Magistrate, 21st Court, Bandra, Mumbai for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 and duly confirmed by the learned Additional Sessions Judge, Greater Mumbai by dismissing the appeal filed by the accused, the present petitioners.

2. During the pendency of this application both the parties have settled and decided to compound the

offence under which the petitioner no.1 has been convicted. The petitioner no.2-company has deposited an amount of Rs.3 lacs and out of the same an amount of Rs.2,50,000/- will be withdrawn by the original complainant, the present respondent no.1, whereas the balance amount of Rs.50,000/- shall be withdrawn by the petitioners. The pursis for compounding has been taken on record and marked as "X" for identification and based on the same the parties have prayed for an order for compounding the offence under Section 147 of the Negotiable Instruments Act, 1881.

3. The pursis is hereby allowed and the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 proved against the petitioners is hereby compounded under Section 147 of the Negotiable Instruments Act, 1881 and consequently the order of conviction and sentence passed by the learned Metropolitan Magistrate, 21st Court, Bandra Mumbai on 26/7/2005 is hereby annulled.

(B.H. Marlapalle,J.)